

Hon. Franklin D. Burgess

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

TEXAS WHOLESALE, INC., a Texas
corporation

Plaintiff,

v.

DARYL E. BELL and KATRINA BELL
a/k/a KATRINA SCHNELLE, husband and
wife, and the marital community composed
thereof; et al.,

Defendants.

No. C05-5322FDB

STIPULATION AND ORDER
DISMISSING DEFENDANTS
WASHINGTON WITH PREJUDICE

STIPULATION

IT IS HEREBY STIPULATED AND AGREED as follows:

1. Plaintiff Texas Wholesale Inc. (aka Texas Wholesale Dental Supply Inc. d/b/a National Dental Supply) (hereinafter "Texas Wholesale") and Defendants Alvin and Dana Washington (the "Washingtons"), agree to the dismissal of this action against the Washingtons, with prejudice.

2. In support of this stipulated dismissal with prejudice, plaintiff and the Washingtons agree that they will bear their own attorneys fees, costs and expenses; and, Texas Wholesale on behalf of its owners, directors, shareholders, affiliates, subsidiaries,

parent corporations, predecessors, successors, and/or assigns – together with the undersigned individuals affiliated with Texas Wholesale, in both their respective corporate and individual capacities – release Alvin and Dana Washington, their present or former heirs, personal representatives, executors, trustees, and/or assigns, from the claims in this lawsuit and any claims that arise out of any transaction or occurrence that is within the subject matter of this lawsuit.

3. Plaintiff, the Washingtons and the undersigned individuals affiliated with Texas Wholesale have also agreed that this Stipulation may be executed in counterparts, each of which shall be deemed an original but all of which together constitute a single agreement, and that facsimile signatures shall be considered sufficient for execution of this Stipulation.

SO STIPULATED this ____ day of September, 2005.

SMITH ALLING LANE, P.S.

McNAUL EBEL NAWROT & HELGREN
PLLC

By: _____
Michael E. McAleenan, WSBA No. 29426

By: _____
Leslie J. Hagin, WSBA 29186

Attorneys for Plaintiff

Attorneys for Defendants Alvin and Dana
Washington

BRENT BIGLER

In His Corporate and Individual Capacity

JEFFREY BIGLER

In His Corporate and Individual Capacity

JAMES D. ARCHER

In His Corporate and Individual Capacity

ORDER

This matter having come before the Court on the foregoing Stipulation, and the Court being fully advised, now, therefore, ORDERS, ADJUDGES AND DECREES that Plaintiff's claims against defendants Alvin and Dana Washington are DISMISSED WITH PREJUDICE, with each party to bear its own attorney's fees, costs and expenses.

IT IS SO ORDERED.

DATED this 29th day of September 2005.



FRANKLIN D. BURGESS
UNITED STATES DISTRICT JUDGE

Presented by:

McNAUL EBEL NAWROT & HELGREN PLLC

By: _____
Leslie J. Hagin, WSBA 29186

Attorneys for Defendants Alvin and Dana Washington

SMITH ALLING LANE, P.S.

By: _____
Michael E. McAleenan, WSBA No. 29426

Attorneys for Plaintiff